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COMMONWEALTH OF PENNSYLVANIA

Department of Welfare

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JUVENILE COURT ACT

of 1933

Amended 1937

Arthur W. Howe, Jr.

Secretary of Welfare

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AN ACT

Defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto.

Whereas, The welfare of the Commonwealth demands Preamble.
that children should be guarded from association and contact with crime and criminals, and the ordinary process of the criminal law does not provide for such care, guidance and control as are essential to children in the formative period of life; and

Whereas, Experience has shown that children, lacking proper parental care or guardianship, are led into courses of life which may render them liable to the penalties of the criminal law, and that the real interests of such children require that they be not incarcerated in jails and penitentiaries, as members of the criminal class, but be subjected to wise care, guidance and control so that evil tendencies may be checked and better instincts be strengthened; and

Whereas, To these ends, it is important that the powers of the courts, with respect to the care, guidance and control over delinquent, neglected and dependent children should be clearly distinguished from those exercised in the ordinary administration of the criminal law; therefore

Section 1. Definitions.—Be it enacted, &c., That—

“The Juvenile Court Law.”

(1) The word “court,” as used in this act, means the County or Juvenile Court in the County of Allegheny, the Municipal Court in the County of Philadelphia, and the court of quarter sessions in all other counties of this Commonwealth.

(2) The word “child,” as used in this act, means a minor under the age of sixteen years.

(3) The word “adult,” as used in this act, means any person over the age of a child as defined and limited by this act.

(4) The words “delinquent child” include:

(a) A child who has violated any law of the Commonwealth or ordinance of any city, borough or township;

(b) A child who, by reason of being wayward or habitually disobedient, is uncontrolled by his or her parent, guardian, or custodian or legal representative;

(c) A child who is habitually truant from school or home;

(d) A child who habitually so deports himself or herself as to injure or endanger the morals or health of himself, herself or others.

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(5) The words "neglected child" include:

(a) A child who is abandoned by his or her parent, guardian, custodian or legal representative;

(b) A child who lacks proper parental care by reason of the fault or habits of his or her parent, guardian, custodian or legal representative;

(c) A child whose parent, guardian, custodian or legal representative neglects or refuses to provide proper or necessary subsistence, education, medical or surgical care, or other care necessary for his or her health, morals or well-being;

(d) A child whose parent, guardian, custodian or legal representative neglects or refuses to provide the special care made necessary by his or her mental condition;

(e) A child who is found in a disreputable place or associates with vagrant, vicious or immoral persons;

(f) A child who engages in an occupation, or in a situation, dangerous to life or limb, or injurious to the health or morals of himself, herself or others.

(6) The words "dependent child" include:

(a) A child who is homeless or destitute, or without proper support or care, through no fault of his or her parent, guardian, custodian or legal representative;

(b) A child who lacks proper care by reason of the mental or physical condition of the parent, guardian, custodian or legal representative.

Section 2. Jurisdiction of Juvenile Court; Presiding Judge.—Except as hereinafter provided, the several courts, as defined in this act, shall have and possess full and exclusive jurisdiction in (a) all proceedings affecting delinquent, neglected and dependent children; and (b) of all cases of adults charged with contributing to, or encouraging, or tending to cause, by any act of omission or commission, the delinquency, neglect or dependency of any child, or charged with any act of omission or commission with respect to any child, which act of omission or commission is a violation of any State law or ordinance of any city, borough or township.

The powers of the court, for the purposes of this act, may be exercised by any one or more of the judges of such court who may be assigned for the purpose. Such court, when exercising the jurisdiction conferred by this act, shall be known as the "juvenile court."

Section 3. Juvenile Court Sessions and Records to Be Separate.—All sessions of the juvenile court shall be held separate and apart from sessions of the court held for the purpose of its general, criminal, and other business. The records of the proceedings of the juvenile courts shall be kept in a docket separate from all other proceedings of such courts, and shall be withheld from indiscriminate public inspection, but shall be open to inspection by the parent or other representative of the person, institution, association or society concerned, and other persons having a legitimate interest.

In all cases where a child is discharged on probation, or otherwise, from an institution, industrial or training school, a record of such discharge shall be kept in the juvenile court docket.

Section 4. Initiation of Proceedings.—The powers of the court may be exercised—

1. Upon the petition of any citizen, resident of the county, setting forth that (a) a child, giving his or her name, age, and residence, is neglected, dependent or delinquent, and is in need of care, guidance and control, (b) the names and residence of the parents, if any, or of his or her legal guardian if there be one, (c) the name and residence of the person or persons having control of the child, and (d) the name and residence of the nearest relative if no parent or guardian can be found.

2. Upon commitment, by a magistrate, alderman or justice of the peace, of a child arrested for any indictable offense, other than murder, or for the violation of any other laws of this Commonwealth or the ordinance of any city, borough or township.

3. There shall be no preliminary hearings in any cases affecting dependent, delinquent or neglected children under the age of sixteen years.

Section 5. Jury Trials.—Except as hereinafter provided, the court shall hear and determine all cases affecting children arising under the provisions of this act without a jury. If an adult coming before the court is charged with an offense for which he is entitled to a trial by jury, and if he shall so demand, the case shall be returned by the judge of the court to the proper court for trial.

Section 6. Preliminary Orders; Temporary Custody of Children.—Upon the filing of any petition as above set forth, or the commitment of a child by any magistrate, alderman or justice of the peace, the judge holding the juvenile court shall, if after preliminary inquiry he deems the same necessary, make all necessary orders for compelling the production of such child, and the attendance of parents or other person or persons having the custody or control of the child, or with whom the child may be.

Pending the final disposition of any case, the child shall be subject to the order of the court, and may be permitted by the court to remain in the control of his or her parents or the person having him or her in charge, or in charge of a probation officer, or the child may be placed by the court in the custody of any association or society having for one of its objects the care of dependent, delinquent or neglected children, or may be ordered by the court to be kept and maintained in some place provided by the county for such purposes.

Section 7. Certain Commitments Prohibited; Special Rooms for Detention of Children.—No child, pending or after hearing before the juvenile court, shall be con-

fined in any county jail, workhouse, police station, lock-up, or other institution in which adults are confined, or be placed in any court room during the trial of adults unless his or her presence be required in the persecution of adults upon order of the judge presiding at the trial of such adult or adults, or in any vehicle in company with adults charged with or convicted of crime.

The county commissioners in each county shall provide, furnish, and heat a separate room or rooms, or a suitable building, to be used exclusively for the confinement of all children who may be in custody awaiting hearing in the juvenile court of the county, and shall provide for the maintenance and care of such children while in custody.

Section 8. Hearing; Court Orders.—At the hearing, or any continuation thereof, the judge or judges shall, after an inquiry of the facts, determine whether the best interests and welfare of a child and the State require the care, guidance and control of such child, and shall make an order accordingly.

The court may—

(a) Allow a child to remain in its home under the care of his or her parent or parents, or place such child in a suitable family home, subject, in either case, to the supervision and guardianship of a probation officer, and may require such child to report to the probation officer as often as deemed necessary, and may require such child to be returned to the court for further proceedings whenever the same appears to the court to be necessary.

(b) Commit a child to the care, guidance and control of some reputable citizen of good moral character, subject to the supervision of a probation officer and to report as required in clause (a) of this section.

(c) Commit a child to some suitable institution or to the care of an incorporated association or society, one of whose objects is the care, guidance and control of delinquent, dependent and neglected children, and which is willing to receive said child.

(d) Commit a child to an industrial or training school, or county institution or school maintained for such purpose, willing to receive it, for care, guidance and control.

No dependent, neglected or delinquent child shall hereafter be committed to any industrial or correctional school or institution whatsoever by any magistrate, alderman or justice of the peace, any existing law to the contrary notwithstanding.

Section 9. Support Orders.—The court may in any case make an order upon the parent or parents to contribute such sum for the support of the child as it may determine. The court shall have power to enforce any such support order in like manner as courts of quarter sessions may enforce orders for support under the laws of this Commonwealth.

Where a child is placed in a suitable family home and the payment of board is required, in case provision is not made for such board by voluntary contribution or court order on the parent or parents, the court may direct that such board be paid by the county until provision is made for the placing of such child in a suitable family home without payment of board.

In the case of the commitment of a child, the court may order the proper county to pay for the board and clothing of, and necessary medical and surgical attendance upon, and the care of, such child, and its maintenance generally, and the necessary expenses of placing and replacing the child, and may fix the amount which shall be paid for the child: Provided, That in all cases of commitments to houses of refuge that are not exclusively under State control, or that are exclusively under State control, the amount of the order for maintenance, clothing, instruction, medical and surgical care shall be fixed according to existing legislation governing the payment of expenses of maintenance, clothing, instruction, medical and surgical care of children committed to such institutions.

In all cases where the cost of board or care and maintenance of a child have been ordered paid by the county, it shall be directly liable to the person, family, association, society or institution having the care, guidance and control of the child, but the county shall in all cases have full recourse to recover the amounts so paid from the persons or poor district liable for the support of such child.

Section 10. Religious Beliefs to Be Taken into Consideration; Adoption by Families.—The court shall place a child, as far as possible, under the care, guidance and control of persons have the same religious belief as the parents of the child, or with some association or society which is controlled by persons of such religious belief, and shall, as far as possible, provide, in making orders of placement, that the care, guidance and control of the child shall be as nearly as possible that which should have been given by his or her parents. In all cases where it can properly be done, the child shall be placed in a suitable family home and become a member of the family by legal adoption, or otherwise.

Section 11. Certain Commitments Prohibited.—It shall not be lawful to commit the care, guidance and control of any delinquent, neglected or dependent child, under the age of twelve years, to any industrial school or institution of correction, unless, after the care and oversight given such child under the probation system provided for by this act, the court finds that the best interests of the child and the welfare of the community require such commitment. It shall not be lawful to commit the custody of any neglected or dependent child, who is not delinquent, to any institution of correction in which delinquent children are received.

Section 12. Amendment, Change and Extension of Court Orders.—All orders made by the several juvenile courts with respect to delinquent, neglected and dependent children shall, up to the time a child attains the age of twenty-one years, be subject to amendment, change or extension, by the judges thereof, upon motion of the district attorney or a probation officer, or upon petition of any other person in interest, after at least five (5) days' written notice has been given to both the district attorney and a probation officer. When any child to whom the jurisdiction of the juvenile court has attached has been released on probation, such probation shall, at the discretion of the judge of the juvenile court, be taken to continue in full force and effect until such child attains the age of twenty-one years, but this shall in no way affect his or her prosecution and conviction in a court of quarter sessions and the imposition of sentence by a judge or judges of that court.

Section 13. Guardianship of Individuals, Associations and Societies.—In any case where the court shall award a dependent, neglected or delinquent child to the care of any association, society or individual, the child shall, unless otherwise ordered, become a ward, and be subject to the guardianship of the association, society or individual to whose care it is committed. Such association, society or individual shall have authority, with the consent of the court, to place such child in a suitable family home. Such guardianship shall not include the guardianship of any estate of the child.

Section 14. Transfer of Cases from the Criminal Courts.—If, during the pendency of a criminal charge, other than murder, against any person in the court of quarter sessions or over and terminer, it shall be ascertained that the person charged with the offense was under the age of sixteen years at the time the alleged offense was committed, it shall be the duty of such court to transfer such case immediately, together with all the papers, documents and testimony connected therewith, to the juvenile court. The judge making such transfer shall order the child to be taken forthwith to the place of detention provided for dependent, neglected and delinquent children or release such child in the custody of some suitable person or probation officer with directions to appear before the juvenile court at a time to be fixed, at which time the judge of the juvenile court shall thereupon proceed to hear and dispose of the case in the manner provided by this act.

Section 15. Rehearings and Appeals Where Errors of Law or Fact Are Alleged.—Within twenty-one (21) days after the final order of any judge of the juvenile court, committing or placing any dependent, neglected or delinquent child, such child shall, as a matter of right, by his or her parent or parents or next friend, have the right to present to the court a petition to have his or her case or cases reviewed and reheard, if, in the

opinion of such parent, parents, or next friend, an error of fact or of law, or of both, has been made in such proceedings or final order, or if the said order has been improvidently or inadvertently made.

Upon the presentation of such petition, the court shall grant such review and rehearing as a matter of right. The testimony at such reviews and rehearing shall be taken down and transcribed by an official court stenographer, which testimony shall be duly made a part of the record in such case. From the final order of such court, in proceedings for such rehearings and reviews, appeals shall lie as a matter of right to the Superior Court, upon the same terms and with the same regulations as are provided by law with respect to appeals from any decree of the orphans' court. In hearing such appeals, the Superior Court shall consider the testimony as a part of the record.

Section 16. Rehearings to Revoke or Modify Orders Where Circumstances Have Changed; Appeals.—If, at any time after the final order of any juvenile court placing or committing any dependent, neglected or delinquent child, a change of circumstances has taken place which, in the opinion of the parent or parents or next friend of such child, warrants the revocation or modification of such final order, such child shall, by his or her parent or parents or next friend, have the right to file a petition in such court asking for a revocation or modification of such final order.

It shall be the duty of such courts or judges to give a full and proper hearing on such petitions. The testimony at such hearings shall be taken and transcribed by an official court stenographer, at the cost of the party requesting such hearing, and such testimony shall be duly made a part of the record in the case. From the final order of such court, in proceedings for such hearings, appeals shall lie as a matter of right to the Superior Court of this Commonwealth, upon the same terms and with the same regulations as are provided by law with respect to appeals from any decree of the orphans' court. In hearing such appeals, the Superior Court shall consider the testimony as part of the record.

Section 17. Appointment of Probation Officers, Clerks, Stenographers and Assistants; Powers and Duties; Compensation.—The court of quarter sessions, in counties of the third, fourth, fifth, sixth, seventh and eighth classes, shall appoint or designate one or more discreet persons, of good character, to serve as probation officers during the pleasure of the court. Said probation officers shall receive such compensation as may be fixed by the judge or judges of said court, and, in addition thereto, such actual expenses as may be approved by said court. Said compensation and expenses shall be paid monthly, or semi-monthly, as is the case of other county employes, by the county treasurer, upon an order of the county commissioners approved by a judge of said court.

In counties of the first and second class, probation officers shall be appointed and their compensation fixed as is now or may hereafter be provided by law.

The probation officers shall have charge of the probation work of the court, keep such records as may be required by the court, make such investigations as may be required by the court, be present in court when cases are being heard, furnish to the court such information and assistance as the judge may require, take such charge of any child, before and after hearing, as may be directed by the court, keep informed concerning the conduct and condition of each child under their supervision and, from time to time, report thereon to the court.

The several courts of quarter sessions shall have power to appoint such clerks, stenographers and office assistants, in connection with the probation work of the juvenile court, as may be deemed necessary. The compensation of such appointees shall be fixed by the judges of said court and the county commissioners, and shall be paid by the county.

Nothing in this section shall be construed to repeal any of the provisions of an act, approved the fifth day of May, one thousand nine hundred and eleven, entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," or the amendments thereto; nor to repeal any of the provisions of an act, approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," or the amendments thereto.

Section 18. Trial of Certain Cases Upon Indictment.—Whenever any child, being above the age of fourteen years, has been held by any magistrate, alderman or justice of the peace for any offense, other than murder, punishable by imprisonment in a State penitentiary, the judge of the juvenile court having jurisdiction, if, in his opinion, the interests of the State require a prosecution of such case on an indictment, may certify the same to the district attorney of the county, who shall thereupon proceed with the case in the same manner as though the jurisdiction of the juvenile court had never attached. Nothing in this act contained shall be in derogation of the powers of the courts of quarter sessions and of oyer and terminer to try, upon an indictment, any delinquent child whose case may, as above provided, have been certified to the district attorney, and who may, in due course, be brought to trial before such court.

Nothing in this section shall be construed to repeal

any of the provisions of an act, approved the fifth day of May, one thousand nine hundred and eleven, entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," or the amendments thereto; nor to repeal any of the provisions of an act, approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," or the amendments thereto.

Section 19. Children Before Juvenile Court Not to Acquire Disabilities.—No order made by any juvenile court shall operate to impose any of the civil disabilities ordinarily imposed by the criminal laws of the Commonwealth, nor shall any child be deemed to be a criminal by reason of any such order or be deemed to have been convicted of crime. The disposition of a child or any evidence given in a juvenile court shall not be admissible as evidence against the child in any case or proceeding in any other court.

Section 20. Penalty for Contributing to Child's Delinquency.—Any person who contributes to the delinquency of any child to whom the jurisdiction of any juvenile court within this Commonwealth has attached, or shall hereafter attach, or who knowingly assists or encourages such child in violating his or her parole or any order of the said court, shall be guilty of a misdemeanor, and, upon conviction, shall be sentenced to pay a fine of not more than five hundred dollars, or to undergo imprisonment for a term not exceeding three years, or both, at the discretion of the court.

In trials or hearings upon charges of violating the provisions of this section, knowledge of the delinquent child's age, and of the said court's orders and decrees concerning such child, shall be presumed in the absence of satisfactory proof of the contrary.

Section 21. Procedure in Adult Cases.—All provisions of this act relative to procedure in cases of children, so far as practicable, shall be construed as applying to cases against adults also coming under the jurisdiction of the juvenile courts, when not inconsistent with other provisions of law relating to the conduct of adult cases. Proceedings may be instituted by an interested party, or upon the court's own motion, and a reasonable opportunity to appear shall be afforded the defendant. The court may issue a warrant of arrest or other process in order to secure or compel the attendance of any such defendant. Upon the trial of such cases, the court shall have power to impose such sen-

tence as the law provides, or may suspend sentence and place any such defendant on probation.

Section 22. Costs.—The judge or judges of the juvenile court shall have power, upon the disposition of any case heard therein, to make an order disposing of the costs, including fees of magistrates, constables, clerks of the courts, sheriffs and witnesses; and may impose such costs on the county, or on the complainant, if, after hearing, it be found that the complaint was made without proper cause, or upon the parent or parents, or guardian, or custodian, of the child, if, after hearing, it be found that they were at fault, and are of ability to pay; but all such costs shall, after hearing and order in the case, be immediately chargeable to and paid by the proper county: Provided, That the county shall be liable only for the costs of such witnesses as the probation officer shall certify were subpoenaed by his order, and were in attendance and necessary to the trial of the case, or such witnesses as the court shall certify were in attendance and necessary to such trial.

Section 23. Court Rules and Regulations.—The County Court of Allegheny County, the Municipal Court of Philadelphia, and the court of quarter sessions of all the counties shall have power to adopt such rules of procedure, and rules and regulations for the conduct of officers and employes of the juvenile court, as it shall deem proper.

Section 24. Constitutionality.—The provisions of this act shall be severable, and if any of its provisions shall be held unconstitutional, such decision shall not be construed to impair any other provision of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

Section 25. Construction; Pending Proceedings.—The provisions of this act, in so far as they are the same as those of existing laws, are intended as a continuation of such laws and not new enactments. Any cases in the juvenile courts begun previous to and remaining undjudicated at the date on which this act takes effect shall not be affected thereby as to their hearing and disposition, but shall be proceeded with and disposed of in accordance with the laws in force immediately prior to said date: Provided, however, That any supplementary proceedings in or in connection with or respecting any such case or cases taken subsequent to the original disposition thereof as aforesaid, and also any supplementary proceeding in or in connection with or respecting any case adjudicated and disposed of previous to the time when this act goes in effect that may be had after said time, shall be governed by the provisions hereof both as to procedure and as to the powers of the court.

Section 26. Citation.—This act shall be known, and may be cited, as "The Juvenile Court Law."

Section 27. Effective Date.—This act shall take effect on the first day of July, one thousand nine hundred and thirty-three.

Section 28. Repealer.—The following acts and parts of acts are hereby repealed:

The act approved the twelfth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred fifty-nine), entitled “An act to regulate the confinement and trial of infants under the age of sixteen years.”

The act approved the twenty-sixth day of March, one thousand nine hundred and three (Pamphlet Laws, sixty-six), entitled “An act to regulate the commitment of children under the age of sixteen years to institutions of correction or reformation.”

The act approved the third day of April, one thousand nine hundred and three (Pamphlet Laws, one hundred thirty-seven), entitled “An act regulating the confinement of children under the age of sixteen years awaiting trial.”

The act approved the fifteenth day of April, one thousand nine hundred and three (Pamphlet Laws, two hundred eight), entitled “An act to provide for the payment of the expenses of the maintenance and instruction of children committed to the industrial schools, or institutions of like character which are not under State control, by the counties from which they have been sent, and providing a method for determining the amount due and collecting the same from said counties.”

The act approved the twenty-third day of April, one thousand nine hundred and three (Pamphlet Laws, two hundred seventy-four), entitled “An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment and control of dependent, neglected, incorrigible, and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised.”

The act approved the first day of April, one thousand nine hundred and nine (Pamphlet Laws, eighty-nine), entitled “An act amending section three of an act, approved the twenty-third day of April, one thousand nine hundred and three (1903), entitled ‘An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment, and control of dependent, neglected, incorrigible, and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised,’ providing for the fixing of the salary, compensation, and expenses of the probation officers, and the payment of the same out of the county treasury.”

The act approved the twenty-second day of April, one thousand nine hundred and nine (Pamphlet Laws, one hundred nineteen), entitled “An act to amend an act,

entitled 'An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment, and control of dependent, neglected, incorrigible, and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised,' approved April twenty-three, one thousand nine hundred and three, by providing that orders of juvenile court, in regard to minors under sixteen years of age, shall be subject to amendment, change, or extension until such minors attain the age of twenty-one years, and that the probation period of minors, released on probation before the age of sixteen years, may at the discretion of the court be extended until such minors attain the age of twenty-one years."

The act approved the sixth day of May, one thousand nine hundred and nine (Pamphlet Laws, four hundred thirty-four), entitled "A supplement to an act, entitled 'An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment, and control of dependent, neglected, incorrigible, and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised,' approved the twenty-third day of April, Anno Domini one thousand nine hundred and three, providing that it shall be a misdemeanor for any person to contribute to the delinquency of any minor to whom the jurisdiction of any juvenile court has attached, or to aid or abet said minor in violating his or her parole or any order of such court, and providing penalties therefor."

The act approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws, two hundred sixty-eight), entitled "An act supplementary to an act, entitled 'An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment, and control of dependent, neglected, incorrigible, and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised,' approved the twenty-third day of April, one thousand nine hundred and three (1903); providing for the employment of clerks, stenographers, and office assistants to facilitate the probation work of the juvenile court, and for the fixing of the salary or compensation of such employes, and the payment of the same out of the county treasury."

The act approved the first day of June, one thousand nine hundred and eleven (Pamphlet Laws, five hundred forty-three), entitled "An act to amend the sixth section of an act, approved April twenty-third, Anno Domini one thousand nine hundred and three, entitled 'An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment, and con-

trol of dependent, neglected, incorrigible, and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised,' by providing that the court may direct that the board of such children be paid by the proper county."

The act approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, eight hundred thirty-six), entitled "An act to provide for the disposition and payment of costs in all cases tried in the juvenile court."

The act approved the fifteenth day of June, one thousand nine hundred and eleven (Pamphlet Laws, nine hundred fifty-nine), entitled "An act amending 'An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment, and control of dependent, neglected, incorrigible, and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised,' approved April twenty-third, nineteen hundred and three; by empowering the court to enforce the order of support, made upon the parent or parents of the child, under the fourth section of said act, in the manner provided by law in other desertion and non-support cases brought under the act of April thirteenth, eighteen hundred and sixty-seven."

The act approved the eighth day of May, one thousand nine hundred and thirteen (Pamphlet Laws, one hundred seventy-seven), entitled "An act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association, society, person, or family by the courts of this Commonwealth."

The act approved the twenty-first day of July, one thousand nine hundred and thirteen (Pamphlet Laws, eight hundred seventy), entitled "An act to amend an act, entitled 'An act regulating the confinement of children, under the age of sixteen years, awaiting trial,' approved the third day of April, Anno Domini one thousand nine hundred and three, so as to provide for the furnishing and heating of rooms or buildings provided for the detention of children awaiting trial, and for the care and maintenance of such children while detained."

The act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand thirty-nine), entitled "An act to further amend the sixth section of an act, approved April twenty-third, Anno Domini one thousand nine hundred and three, entitled 'An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment, and control of dependent, neglected, incorrigible, and delinquent children, under the age of sixteen years, and providing for the means in which such powers may

be exercised,' by extending the application of said section to dependent, neglected, and incorrigible children; and providing for the payment of the board of such children."

The act approved the thirteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, three hundred four), entitled "An act to further amend the sixth section of an act, approved April twenty-third, Anno Domini one thousand nine hundred and three, entitled 'An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment, and control of dependent, neglected, incorrigible, and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised,' by providing that the court may direct that the clothing of, and necessary medical and surgical attendance upon and the care of, such child, and its maintenance generally, shall be paid by the proper county, and may fix the amount which shall be paid for such board and clothing."

The act approved the first day of June, one thousand nine hundred and fifteen (Pamphlet Laws, six hundred fifty-two), entitled "An act giving to dependent, neglected, incorrigible, delinquent, and other children committed to the care, custody or control of any institution or citizen, or training school or industrial school, or any association willing to receive them, or to any other person or persons by any court of this Commonwealth sitting as a juvenile court, or any judge sitting as such, the right to reviews and rehearings, on petition of their parent or parents or next friend, requiring the testimony to be made a part of the record, and providing for appeals to the Superior Court."

The act approved the twelfth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, four hundred forty-five), entitled "An act to further amend the sixth section of an act, approved April twenty-third, Anno Domini one thousand nine hundred and three, entitled 'An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment, and control of dependent, neglected, incorrigible and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised,' as amended, by providing that the court may direct that the necessary expenses of placing or re-placing such child shall be paid by the proper county."

The act approved the twenty-eighth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred ninety-eight), entitled "An act amending sections one, two, and eleven of an act, approved the twenty-third day of April, one thousand nine hundred and three (Pamphlet Laws, two hundred seventy-four), entitled 'An act defining the powers of

the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment, and control of dependent, neglected, incorrigible, and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised'; providing that the juvenile courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency."

The act approved the twenty-eighth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, one hundred ninety-one), entitled "An act to amend section three of the act, approved the twenty-third day of April, one thousand nine hundred and three (Pamphlet Laws, two hundred seventy-four), entitled 'An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment, and control of dependent, neglected, incorrigible, and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised,' as amended, providing that in counties having a population of less than one million inhabitants, the compensation of the probation officers shall be fixed by the judges of such courts and the county commissioners."

All other acts or parts of acts inconsistent herewith are hereby repealed.

Section 29. Acts Saved from Repeal.—This act shall not repeal or modify any of the provisions of the following acts:

The act approved the twenty-second day of April, one thousand eight hundred and fifty (Pamphlet Laws, five hundred thirty-eight), entitled "An act to secure the cities of Pittsburgh and Allegheny, and the neighborhood thereof, from damage by gun-powder; to incorporate an association for the establishment of a house of refuge for western Pennsylvania; and relative to the Pennsylvania State Lunatic Hospital."

The act approved the seventh day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, six hundred seventy-seven), entitled "An act to provide for the care, treatment, and maintenance of dependent, crippled children; conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts; and imposing certain expenses upon counties."

The act approved the seventh day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, one hundred fifty-six), entitled "An act to amend section one of the act, approved the twenty-seventh day of March, one thousand nine hundred and three (Pamphlet Laws, eighty-three), entitled 'An act to provide for the payment of the expenses of the maintenance and instruction of children, committed to Houses of Refuge which are not exclusively under State control, jointly by the State and by the counties from which

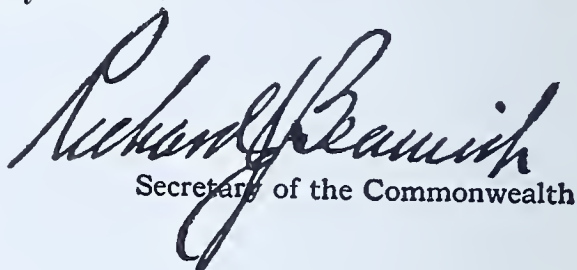
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they may be sent; and providing a method for determining the amount due, and collecting the same from said counties,' by changing the time of payment by counties."

APPROVED—The 2d day of June, A. D. 1933.

GIFFORD PINCHOT

The foregoing is a true and correct copy of Act of the General Assembly No. 311.


Secretary of the Commonwealth

No. 188

AN ACT

To amend clause one of section one of the act, approved the second day of June, one thousand nine hundred and thirty-three (Pamphlet Laws, one thousand four hundred thirty-three), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," defining the Family Court of Philadelphia as a court having jurisdiction with respect to the care, guidance, control, placement and commitment of delinquent, neglected and dependent children under sixteen years of age; and eliminating the Municipal Court in the County of Philadelphia as a court having such jurisdiction.

Section 1. Be it enacted, &c., That clause one of section one of the act, approved the second day of June, one thousand nine hundred and thirty-three (Pamphlet Laws, one thousand four hundred thirty-three), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," is hereby amended to read as follows:

(1) The word "court," as used in this act, means the County or Juvenile Court in the County of Allegheny, the [Municipal Court in] *Family Court* of the County of Philadelphia, and the court of quarter sessions in all other counties of this Commonwealth.

Section 2. This act shall become effective immediately upon final enactment.

Courts.

Clause 1 of section 1, act of June 2, 1933 (P. L. 1433), amended.

When effective.

APPROVED—The 19th day of May, A. D. 1937.

GEORGE H. EARLE

The foregoing is a true and correct copy of Act of the General Assembly No. 188.



Secretary of the Commonwealth.

